

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 9/10/2013	(3) CONTACT/PHONE John Diodati, Department Administrator (805) 788-2832	
(4) SUBJECT Hearing to announce Proposition 218 results for the proposed Tract 1747 Streetlight Assessment District and submittal of a resolution ordering the improvements for the Tract 1747 Streetlight Assessment District. District 4.			
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board: 1. Ratify the results of the Proposition 218 Assessment proceedings, which were conducted by the Clerk; and 2. Adopt a resolution determining that there is not a majority protest for the Tract 1747 Streetlight Assessment District which: a. Overrules protests b. Approves the final engineer's report c. Confirms and levies the assessments d. Directs the Clerk to file the assessment diagram			
(6) FUNDING SOURCE(S) Nipomo Lighting District	(7) CURRENT YEAR FINANCIAL IMPACT \$7,815	(8) ANNUAL FINANCIAL IMPACT \$7,815	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. 5 min) <input type="checkbox"/> Board Business (Time Est.____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>6/18/13 #30; 8/13/13#15</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Emily Jackson			
(18) SUPERVISOR DISTRICT(S) District 4 -			

Reference: 13SEP10-H-2

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
John Diodati, Department Administrator

VIA: Paavo A. Ogren, Director of Public Works

DATE: 9/10/2013

SUBJECT: Hearing to announce Proposition 218 results for the proposed Tract 1747 Streetlight Assessment District and submittal of a resolution ordering the improvements for the Tract 1747 Streetlight Assessment District. District 4.

RECOMMENDATION

It is our recommendation that your Honorable Board:

1. Ratify the results of the Proposition 218 Assessment proceedings, which were conducted by the Clerk; and
2. Adopt a resolution determining that there is not a majority protest for the Tract 1747 Streetlight Assessment District which:
 - a. Overrules protests
 - b. Approves the final engineer's report
 - c. Confirms and levies the assessments
 - d. Directs the Clerk to file the assessment diagram

DISCUSSION

Tract 1747 is located along the eastside of Thompson Avenue just north of Chestnut Avenue in Nipomo. Based on resident input, your Board initiated a vote of tract residents regarding on-going funding for streetlight operation and maintenance. This item concludes the Proposition 218 proceedings that were initiated on June 18, 2013. This included mailing ballots to affected property owners and setting the date of the Public Hearing for the Tract 1747 Streetlight Assessment District for August 13, 2013.

The hearing was held on August 13, 2013. At said hearing, it was announced that the ballots would be opened and counted the next day (August 14) at 9 A.M. in a setting open to the public at the Clerk's Office. The ballots were so opened and counted, and the results (weighted by dollar amount as required by law) of the election were as follows:

\$1,915.01 in support of the proposed assessment
\$ 983.38 in opposition of the proposed assessment

Since the ballots are weighted by dollar amount of returned ballots, the results are as follows:

66.07% in support of the proposed assessment
33.93% in opposition of the proposed assessment

Based on the results, the assessment district was approved by the property owners in Tract 1747. The Clerk's formal certificate of the results is included as Attachment "A."

In order to continue with the assessment proceedings, your Board will need to adopt the attached resolution overruling protests, approving engineer's report, levying assessments, and ordering the improvements for the Tract 1747 Streetlight Assessment District. Since it is too late to put on next year's tax bill, the assessment will be manually billed this year. Public Works will work with the Tax Collector to put the assessment on the FY 2014/15 tax bill.

OTHER AGENCY INVOLVEMENT/IMPACT

The Clerk has conducted the Proposition 218 ballot proceeds and LAFCO worked on the annexation. The Tax Collector has been notified of the future assessment.

FINANCIAL CONSIDERATIONS

The passing of the special assessment allows the County to levy assessments on the properties in the district to fund the cost of electricity.

RESULTS

The results will conclude the Proposition 218 proceedings and report the results of a community based decision, which is an excellent mechanism for promoting a well governed and livable community.

c: David Church, LAFCO Executive Director

File: Tract 1747 Streetlights

Reference: 13SEP10-H-2

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ATTACHMENTS

1. Vicinity Map
2. Attachment A - Certificate of County Clerk-Recorder
3. Resolution Overruling Protests, Approving Engineer's Report, Levying Assessments, and Ordering the Improvements for the Tract 1747 Streetlight Assessment District
4. Final Assessment Engineer's Report